

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

S.S. WHITE BURS, INC.)	
a New Jersey Corporation, and)	
TEMPLE UNIVERSITY-)	Civil Action No. 02-cv-3656
OF THE COMMONWEALTH)	
SYSTEM OF HIGHER EDUCATION,)	Hon. Bruce Kauffman, U.S.D.J.
a non-profit corporation of the)	
Commonwealth of Pennsylvania,)	
)	
Plaintiffs,)	
v.)	
)	
NEO-FLO, INC.)	
d/b/a MICROCOPY)	
a California corporation,)	
)	
Defendant.)	

THE PARTIES' RULE 16 MEMORANDUM

The parties, having met and conferred pursuant to the Order dated September 17, 2002 and in accordance with Rules 16 and 26 of the Federal Rules of Civil Procedure for the purpose of proposing a discovery plan, respectfully submit this Rule 16 Memorandum.

The parties propose below the following schedule for remaining proceedings:

- (a) To exchange initial disclosures pursuant to Rule 26: *On or before October 24, 2002*
- (b) To join other parties and to amend the pleadings: *On or before November 15, 2002*
- (c) To file non-dispositive motions: *On or before May 30, 2003*
- (d) To complete discovery: *On or before May 2, 2003*
- (e) To file pretrial memoranda pursuant to FRCP 26(a)(3) and LR 16.1(c): *On or before November 28, 2003*
- (f) To exchange exhibits: *On or before November 7, 2003*

(f) To exchange expert reports: *On or before June 27, 2003 (with rebuttal reports due before July 25, 2003)*

(g) To file dispositive motions: *On or before October 3, 2003*

The parties provide below statements as to:

(a) The prospects of amicable settlement: *None at this time.*

(b) Whether all parties agree to referral of case to Honorable Jacob P. Hart, U.S.M.J. for trial:

The parties do not consent to the referral to this case to Magistrate Judge Hart for trial.

(c) The estimated length of trial: *Approximately one week.*

(d) The basis for the Court's jurisdiction: *Subject matter jurisdiction is proper pursuant to 35 U. S. C. §§ 271 et seq., relating to patents, because this matter involves a federal question.*

Further, defendant admits that this Court has subject matter jurisdiction over the claims.

Personal jurisdiction over defendant is proper pursuant to 28 U. S. C. §§ 1391 and 1400 because defendants transact business in the Commonwealth of Pennsylvania and in this judicial district. Further, defendant admits that this Court has personal jurisdiction over it.

(e) Any other matter may facilitate the just, speedy and inexpensive disposition of this case:

None at this time.

(f) The parties anticipate the need to have a Confidentiality Order entered by this Court and are in the process of preparing it.

Certification of counsel:

This is to certify that all counsel have conferred upon each of the above-matters and approve the contents of the Rule 16 Memorandum.

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Microcopy

CERTIFICATE OF SERVICE

I, the undersigned, hereby certify that a true and correct copy of the foregoing document was served upon the below-identified individual(s) via U.S. First Class Mail on the below date.

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